

CRUSER, MITCHELL, NOVITZ, SANCHEZ, GASTON & ZIMET, LLP

Douglas V. Sanchez, Esq. – 039851989

Travis M. Anderson, Esq. – 272682019

50 Tice Boulevard, Suite 250

Woodcliff Lake, New Jersey 07677

(201) 474-7100

Attorneys for Defendant,

NJ Transit Bus Operations Inc.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

SINOWA JOHNSON,

Plaintiff,

v.

NJ TRANSIT BUS OPERATIONS INC. d/b/a/
NJ TRANSIT AND ATU LOCAL 880,

Defendants.

Hon. Karen M. Williams, U.S.D.J.

Hon. Elizabeth A. Pascal, U.S.M.J.

Civil Action No. 1:25-02528 (KMW/EAP)

**NOTICE OF MOTION TO DISMISS THE
COMPLAINT FOR FAILURE TO STATE
A CLAIM AND LACK OF SUBJECT
MATTER JURISDICTION**

TO: Hon. Karen M. Williams, U.S.D.J.
United States District Court
Mitchell H. Cohen U.S. Courthouse
4th & Cooper Streets, Courtroom 4A
Camden, New Jersey 08101

Emanuel Kataev, Esq.
Sage Law LLC
18211 Jamaica Avenue
Jamaica, New York 11423
Attorneys for Plaintiff, Sinowa Johnson

Paul A. Montalbano, Esq.
Cohen, Leder, Montalbano & Connaughton, LLC
River Drive Center II, 699 River Drive, Suite 125
Elmwood Park, NJ 07470
Attorneys for ATU Local 880

PLEASE TAKE NOTICE that on **Monday, July 7, 2025**, or at such other time as it may please the Court, Cruser, Mitchell, Novitz, Sanchez, Gaston & Zimet, LLP (Travis M. Anderson, Esq., appearing), appearing on behalf of Defendant, NJ Transit Bus Operations, Inc. (“Defendant”), shall move before the Honorable Karen M. Williams, United States District Judge, in the Mitchell H. Cohen U.S. Courthouse, Camden, New Jersey, for an Order dismissing Plaintiff, Sinowa Johnson’s Complaint, with prejudice, for failure to state a claim and Lack of Subject Matter Jurisdiction, pursuant to Rule 12(b)(6) and Rule 12(b)(1) of the Federal Rules of Civil Procedure, and for further relief as the Court may deem proper in this matter.

PLEASE TAKE FURTHER NOTICE that Defendant shall rely upon the attached Brief, Declaration of Counsel, and Exhibits submitted herewith in support of the motion.

PLEASE TAKE FURTHER NOTICE that Defendant respectfully requests that the Court rule upon the moving papers submitted, without requiring the appearance of counsel, pursuant to Rule 78 of the Federal Rules of Civil Procedure, unless opposition is submitted, in which case oral argument is requested.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is submitted herewith.

**CRUSER, MITCHELL, NOVITZ, SANCHEZ,
GASTON & ZIMET, LLP**

By: /s/ Travis M. Anderson
Travis M. Anderson, Esq.

Dated: June 2, 2025